

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 20, 22-25, and 27-32 are pending in this application, Claims 23, 27, and 32 having been currently amended. Support for amended Claims 23, 27, and 32 can be found, for example, in the original claims, drawings, and specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 20, 22-25, and 27-32 were rejected under 35 U.S.C. § 112, first paragraph; Claims 23, 27, and 32 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 20, 22-25, and 27-32 were rejected under 35 U.S.C. § 103(a) as unpatentable over Van Valer (U.S. Patent No. 6,714,209) in view of McFarland et al. (U.S. Patent No. 6,903,760; hereinafter “McFarland”) and Schneider (U.S. Patent No. 6,363,487).

In response to the rejection of Claims 20, 22-25, and 27-32 under 35 U.S.C. § 112, first paragraph, Applicants have amended Claims 23, 27, and 32 to correct the informality noted in the outstanding Office Action by amending the claim to clarify that “areas within said disk are not allowed to be covered by said disk label are derivable and are prohibited from being labeled for said disk category.”

In addition, page 8, line 30 to page 9, line 7 of the outstanding Office Action refers to disk categories (CD, DVD) that show different areas which are allowed or not allowed to be labeled, and, to different types of disks within each category, wherein the user is allowed or not allowed to create a CD-label which, by way of example, covers the inner CD ring which is or which is not used for recording data. The specification also refers to “areas within the disk that are not allowed to be covered by the disk label” at page 3, lines 1-5 and page 13, lines 33-34. Also, page 10, lines 33-24 describes that different printing areas according to the

¹ See page 3, lines 1-5; page 13, lines 3-5; and page 10, lines 33-34 of the specification.

specifications of the CD manufacturer may be selected. Thus, Applicants believe it is clear that within the same disk category (for example CD) for different types (from different manufacturers) different areas may be allowed or not allowed to be covered with a disk label.

Accordingly, Applicants respectfully request that the rejection of Claims 20, 22-25, and 27-32 under 35 U.S.C. § 112, first paragraph be withdrawn.

In response to the rejection of Claims 23, 27, and 32 under 35 U.S.C. § 112, second paragraph, Applicants have amended Claims 23, 27, and 32 to correct the informalities noted in the outstanding Office Action.

Accordingly, Applicants respectfully request that the rejection of Claims 23, 27, and 32 under 35 U.S.C. § 112, second paragraph be withdrawn.

In response to the rejection of Claims 20, 22-25, and 27-32 under 35 U.S.C. § 103(a) as unpatentable over Van Valer in view of McFarland and Schneider, Applicants respectfully submit that amended independent Claim 23 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 23 is directed to a system for performing processes used for generating printing data including, *inter alia*:

...a network capable client configured to locally control/perform said processes used for generating printing data on the basis of which a disk label is creatable, the generated printing data at the client being presented to a user at a first resolution; and

a network capable server configured to offer functionality directly usable and installable on said network capable client, wherein said functionality is adapted to locally control/perform said processes used for generating printing data on the basis of which said disk label is creatable, wherein said network capable client and said network capable server are connected with each other via a communication network, wherein said printing data are generated based on graphic data representing said disk label, wherein, in advance of finalizing said graphic data for said disk label, a disk label printing area is determined in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines

overall dimensions for disks of each disk category, and wherein ***from said disk type, areas within said disk that are not allowed to be covered by said disk label are derivable and are prohibited from being labeled for said disk category,*** and wherein, during the process of generating said graphic data all instructions recognized as leading to the generation of printing data which cannot be assigned to the determined disk label printing area are blocked, the server being configured to process the printing data of the first resolution and to rescale it into printing data of a second, higher resolution.

Independent Claims 27 and 32 recite substantially similar features as independent Claim 23. Thus, the arguments presented below with respect to independent Claim 23 are also applicable to independent Claims 27 and 32.

Column 2, lines 32-44 of Schneider describes a storage medium that includes a protected area. However, Schneider fails to teach or suggest “in advance of finalizing said graphic data for said disk label, a disk label printing area is determined in dependence on selection by a user of a disk category and a disk type, wherein said disk category defines overall dimensions for disks of each disk category, and wherein ***from said disk type, areas within said disk that are not allowed to be covered by said disk label are derivable and are prohibited from being labeled for said disk category,***” as recited in Claim 23.

In Schneider, a controller is capable of changing data on the storage medium outside the protected area on receiving a standard write command and is further capable of changing data in the protected area in response to receiving a special write command. Schneider also describes an optical disc with protected ***data areas*** which are prohibited from being ***written***. In contrast, Applicants’ Claim 23 refers to disc types, wherein the disc types differ in the disk label printing areas which are prohibited from being ***labeled*** (i.e. covered by said disk label).

Thus, Applicants respectfully submit that independent Claims 23, 27, and 32 (and all claims depending thereon) patentably distinguish over Van Valer in view of McFarland and Schneider.

Accordingly, Applicants respectfully request that Claims 20, 22-25, and 27-32 under 35 U.S.C. § 103(a) as unpatentable over Van Valer in view of McFarland and Schneider be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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